Sample BLM Conservation Easement Monitoring Policies and Procedures

Recommended by WO 350 Division of Lands and Realty (2005)

(revised 02/2005)

INTRODUCTION for the MONITOR

Conservation Easement Compliance Monitoring is linked directly to the terms of a specific conservation easement. Its purpose is to assure The Bureau of Land Management, as the easement holder, that its interests on the property continue to be protected.

The monitor is charged with <u>determining if changes have taken place</u> that are inconsistent with the easement terms.

Prior to the visit, the monitor reviews the actual easement text and related records - the Baseline Document (BD) or Easement Documentation Report, (EDR), preceding monitoring reports, etc. Other sources of information may also be used including recent aerial photographs, reports from consultants on technical factors, for example residual dry matter measurements (RDM), on range lands. Refer to BLM Sample Conservation Easement Monitoring Checklist.

On-site the monitor views the features of the property which is subject to the easement's terms, and documents the visit with a written report using this template, photographs, and supporting documents, (such as RDM reports). Any concerns or problems that may be encountered are carefully documented for subsequent resolution by BLM project staff, and if necessary BLM Field Management or agency legal staff.

A key function of the site visit is the opportunity it presents to check in with the property owner or site manager. This relationship is a key factor in the long-term success of any conservation easement. Ideally, a monitor will leave the property with an understanding of the landowner's current activities, and the owner or manager will be left with a renewed understanding of not only the terms of the easement, but also of the conservation values which are The BLM's reasons for holding the easement.

A good working relationship with the property owner is an important by-product of easement compliance monitoring activity.

<u>NOTES on using the Template:</u> While working through this template, you will not have access to spell checking or text-formatting features (bold, italics, etc.). However, <u>when you have completed it</u>, you may access those function, using the process below, before saving the final version:

- o Go to the View menu, select Toolbars and check the Forms from the list or icon.
- o The Forms toolbar will appear. Unprotect the form by clicking on the lock icon.
- o Leave the last field you worked in, (this causes Word to recognize any errors in that field).
- o Navigate using <u>arrows ONLY</u>, (NOT the mouse), to move between and within sections of text.
- o Go to the Tools menu and select "Spelling and Grammar" to identify and accept/correct errors.
- o To add italics or other formatting, <u>holding down the Shift key</u>, use arrows to highlight the desired text: Then add the formatting by clicking the italics, or other icon, up on the Word menu bar
- O After you have finished go back to the Forms toolbar and <u>click the lock icon again</u> to protect the form. Save the template under a unique name before submitting it.

<u>A note on the title page</u>: Name the easement on the next, (title), page using the local name - that is the name it is known as by the owner, or in the community - rather than BLM's site name, if it is different. (There is a place to put BLM's site and tract names on the page that follows.)

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[Local Site Name] Easement Compliance Monitoring Report

[BLM Serial No.]

U.S.D.I. Bureau of Land Management
[Date]

CONSERVATION EASEMENT COMPLIANCE MONITORING REPORT

PART I

PROPERTY INFORMATION and CONTACTS

SITE NAME: TRACT NAME:
These fields to be filled in at BLMFO: Tract Root Code: MANAGED AREA RECORD for this easement RECORD NAME: BLM SERIAL NUMBER:
INTEREST: Conservation easement Other:
MONITORING INTERVAL: every year (monitoring less frequently than every year requires Field Manager approval)
Date of LAST Monitoring:
DATE(s) of THIS VISIT:
STATUS (from Part III):
MONITOR(S): 1) Name: Affiliation: Address: Phone Number Work: Email address: Other phone (specify):
2) Name: Affiliation: Address: Phone Number Work: Cother phone (specify): Email address:
Signature(s)
List any others present at visit (for owner or representative see helow):

Was Owner / representative contacted before (Indicate who was contacted)	e visit? YES NO			
Did the Owner / representative accompany monitor? YES NO (Indicate who accompanied monitor)				
Was easement read immediately before sit	te visit? YES NO			
PROPERTY BACKGROUND County property located in: Nearest town or city: Easement Acres: Topographic map (quad name): Date easement acquired:				
CURRENT OWNER	LESSEE / MANAGER: (if any)			
Name:	Name:			
Address:	Address:			
Phone:	Phone:			
Phone (other):	Phone (other):			
Comments:				
Property transferred since last report? YES If YES: Deed From: Deed To: Conservation restrictions included in deed do				
EASEMENT AREA INSPECTED: (entire describe <u>and</u> indicate on MAP)	ranch vs. specific areas –			
Natural Communities / Features observed:				
Rare species: (if present and specifically noted):				

PART II

EASEMENT SITE INFORMATION:

Land Owner A	Representative Report:

(Include any comments regarding his/her activities. Also note wildlife sighting, disease, or other items of interest observed by owner)

Monito	<u>or's Observations:</u> Describe current land use practices on easement lands <u>in detail</u> :
	Have there been any changes in these practices from the last monitoring? YES NO
	If YES, describe:
Adjace	ent Lands:
	Note any activities on adjacent properties, if relevant:
Natura	al catastrophic events:
· · · · · · · · · · · · · · · · · · ·	Have there been any natural catastrophic events since last inspection (fire, flood, etc)? YES NO
	If YES, describe impact on property:
	If YES, are there any activities planned to address the damage and restore the habitat? YES NO NA
	Are they consistent with the easement? YES NO
	ew or change to human-made alternations? By change e.g. "Added", "Deleted", "Paved", "Expanded", describe and indicate By change e.g. "Added", "Deleted", "Paved", "Expanded", describe and indicate
	Barns (describe):
	Buildings (describe):

Corrals (describe):
Dumps (describe):
Excavation (describe):
Fences (describe):
Hayfields (describe):
Irrigation (describe):
Landfill (describe):
Landing Strip (airplane); (describe):
Mining (describe):
Orchards / tree farms (describe):
Ponds / lakes (describe:
Roads (describe):
Row crops (describe):
Timber harvesting (describe):
Trails (describe):
Utilities (describe):
Vineyards (describe):
Water development /wells (describe):
Other (describe):
Any Management Problems?
Mark with "\sum " and describe. Show location on MAP (Include any which bear on the easement's conservation purposes, even if not subject to easement terms or under owner's control.)
Erosion (describe):
OHVs (describe):

Trespassing (describe):
Feral animals (describe):
Exotic plants (describe):
Litter (describe):
Vandalism (describe):
Overuse (describe):
Disease (describe):
Pollution (describe):
Deferred required maintenance (e.g. fences, etc.) (describe):
agement Activities: Have there been any of the following activities since the last oring? If YES, put an "X" in the appropriate box <i>and describe</i> below:
Ecosystem / species preservation: (additional acreage, nest site protection, etc.) (describe):
Scientific: (research, surveys, etc.) (describe):
Educational: (nature study, tours, etc.) (describe):
Wildlife / Habitat Management / Restoration: (plantings, reintroductions, etc.) (describe):
Exotics control: (spraying, pulling, hunting, etc.) (describe):
Other:

PART III

NARRATIVE AND STATUS

SUMMARY and RECOMMENDATIONS:

Provide a narrative, half-page total. It must incorporate information from previous reports. Include impressions of long-term trends and conditions of site.

STAT Based	TUS: on your observations, in your best judgment are the terms of the easement being
met?	Mark <u>one</u> and add comments below. (<i>Please also enter this status in Part I</i>)
	OK, no violation of easement terms observed
	PENDING, unsure due to the need for additional information or evaluation
	NO, some activities were observed which are believed to be in violation of the easement
Comm	nents: (explain in detail "Pending" or "No, some activities believed to be in violation" status):

PART IV

DOCUMENTATION & REFERENCES:

PHOTO INFORMATION:

A minimum of six photographs is required. Any alterations, changes in easement lands and habitat (human, natural or catastrophic events), should be included.

Include a reference documenting where each photo was taken (by number) either on

the map showing are	as visited, as GPS coordinates in an attach in the table below: (If EDR photo-points a re-taken.)	ed index or as a second	
Photographer & image	ge # Description	Date taken	
1.	ge ii Description	Dute taken	
2.			
3.			
4.			
5.			
6.			
If more space is needed, provide an index in the format above, list under "Additional Related Documentation & References" below and attach. Indicate the format of the actual photos submitted: Digital direct upload □ Prints (to be scanned) □ Slides (to be scanned) □ (File size for digital images must balance detail needed with ease of upload and review: Images under 500kb are easiest to mange, and site photo images in the 200-300kb size range are ideal. Aerial photographs and some other references can be much larger. Consult with managers for files ≥ 3mg.) ADDITIONAL RELATED DOCUMENTATION & REFERENCES Attach additional documentation on compliance measures, such as RDM (Residual Dry Matter) reports, surveys, photo index, etc. Also note here any formal plans being prepared concerning the management of the property and attach a copy if possible.			
File Name:	Title/contents, source & date	Format	
1.			
2.			
3.			
4.			
5.			
6.			

PART V

GENERAL EASEMENT INFORMATION

The following information is not directly related to our compliance monitoring activity, but is very helpful in tracking the characteristics of our easement interests and in identifying trends which may inform how easements are selected, written and followed in the future.

Approximate COST of the activity, (time and materials), reflected in this monitoring report \$				
op acc	pen to public ecess by permission only rivate, closed ther (describe)			
	/ Partner Posting re a plaque or sign acknowledging BLM or our Partner's involvement NO UNKNOWN	ent?		
If YES	S, please include a photograph of sign or plaque.			
Visitat	dogs fishing horses hang-gliding Collecting (define)			
	hunting hiking camping spelunking climbing parasailing plantings other (define)			
Curre	ent Land Use of Easement (Mark all uses with an "X") Ecosystem / species preservation Scientific research Environmental Education Recreation Agriculture Grazing Forestry Residential Commercial/industrial			
H	Other (describe):			

Landowner Type Private Individual/family Private Corporation Federally Recognized Indian Tribe Non-profit organization, (e.g. land trust, foundation, educational group)						
Are all of this proper	rty owner's	lands covere	d under this	easement?	YES 🗌	NO 🗌
If Public Entity ind Local (sp State Federal	T -					
Relation to Other P Is this easement part			effort? YE	S □ NO		
If YES, describe the larger effort, or any						
Is this easement phys	Is this easement physically contiguous with other protected lands? YES NO				Ю	
If YES, describe: (adjacent lands, approximate acreages if available)						
Natural Processes of Describe your view of Put an "X" in the app	of the status	s of natural p				y.
Natural Processes		Cate	gory			
& Connectivity	Optimal	Suboptimal	Ma <u>rgi</u> nal	Poor		
Fire			<u> </u>			
Hydrology		<u> </u>				
Grazing						
Corridors		 				
Other Comments:	<u> </u>					

END